

**MORGAN, LEWIS & BOCKIUS LLP**  
101 Park Avenue  
New York, New York 10178-0600  
Telephone: (212) 309-6000  
Facsimile: (212) 309-6001  
Neil E. Herman, Esq.

- and -

One Federal Street - 32nd Fl  
Boston, MA 02110-1726  
Telephone: (617) 341-7716  
Facsimile: (617) 341-7701  
Laura McCarthy, Esq.

Hearing Date: February 4, 2019 at 10:00 a.m.  
Objection Deadline: January 26, 2019 at 4:00 p.m.

*Counsel to Kimco Realty Corporation*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>In re</b>	<b>x</b>
	:
SEARS HOLDINGS CORPORATION, <i>et al.</i>	: Chapter 11
	:
	: Case No. 18-23538 (RDD)
	:
<b>Debtors.<sup>1</sup></b>	<b>(Jointly Administered)</b>
	<b>x</b>

**AMENDED OBJECTION AND JOINDER OF LANDLORD TO THE DEBTORS'  
NOTICE OF CURE COSTS AND POTENTIAL ASSUMPTION AND ASSIGNMENT OF  
EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Kimco Realty Corporation and certain of its affiliates (collectively, "Kimco"), by its attorneys, Morgan, Lewis & Bockius, LLP, file this Amended Objection and Joinder in response to Debtors' *Notice of Successful Bidder and Sale Hearing* filed on January 18, 2019 (the "Sale

<sup>1</sup>The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden, LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovel Solutions, Inc. (7180); Kmart Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859); Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp. (0535); Sears, Roebuck de Puerto Rico, Inc. (3626); SYW Relay LLC (1870); Wally Labs LLC (None); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc. (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc. (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915); MyGofer LLC (5531); Sears Brands Business Unit Corporation (4658); Sears Holdings Publishing Company, LLC. (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616); StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc. (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); and Sears Brands Management Corporation (5365). The location of the Debtors' corporate headquarters is 3333 Beverly Road, Hoffman Estates, Illinois 60179.  
DB1/101870396.1

Motion") [Dkt. No. 1730], Debtors' *Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases* filed on January 18, 2019 (the "Initial Cure Notice") [Dkt. No. 1731], and Debtors' Supplemental Notice of Cure Costs [Dkt. No. 1774] (together with the Initial Cure Notice, the "Cure Notices") respectfully state as follows:

1. Kimco restates and incorporates herein by reference its initial Objection and Joinder filed on January 25, 2019 at Dkt. No. 1839 (the "Initial Kimco Objection").
2. Kimco hereby amends its objection to the proposed cure amount for Store Number 3978. Kimco became aware of new information regarding real estate taxes, which have not been billed to this particular Kmart store since 2014.
3. The Debtors' asserted cure claim was \$15,134.80. Kimco previously reported the correct cure amount to be \$19,115.17. Kimco hereby amends the correct cure amount to add \$287,022.67 in unpaid real estate taxes for a total corrected cure amount of \$306,137.84, based on the real estate taxes which were not billed to Store 3978 since 2014.
4. Supporting documentation for this amount is attached hereto as Exhibit A.
5. As set forth above and in the Initial Kimco Objection, the Debtors have failed to sufficiently cure the arrearages for the subject leases. Consequently, the Sale Motion and Cure Notices must be denied as it relates to the cure amounts with respect to the subject leases.
6. Kimco reserves the right to supplement this Amended Objection and Joinder and make such other and further objections as may be necessary or appropriate.

*[remainder of this page intentionally left blank]*

**WHEREFORE**, Kimco respectfully requests that this Court enter an order (i) denying without prejudice the proposed assumption and assignment of the subject leases, and (ii) granting such further and other relief as this Court may deem just and proper.

Dated: New York, New York  
January 31, 2019

**MORGAN, LEWIS & BOCKIUS LLP**  
*Attorneys for Kimco Realty Corporation*

By: /s/ Neil E. Herman  
Neil E. Herman (NH-2513)

101 Park Avenue  
New York, New York 10178  
Tel: 212-309-6000  
Fax: 212-309-6001  
E-mail: neil.herman@morganlewis.com

- and -

Laura McCarthy, Esq.  
**Morgan, Lewis & Bockius LLP**  
One Federal Street - 32nd Fl  
Boston, MA 02110-1726  
Direct Phone: (617) 341-7716  
Fax: (617) 341-7701  
Email: laura.mccarthy@morganlewis.com

**EXHIBIT A**

Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

Invoice #	Bill Date
G0524386	JAN/30/2019
Amount Due	Due Date
73,424.85	Upon Receipt
Property ID	Lease ID
SGAP1752/	LKMAR//00
Unit ID	
100	

Sears Holdings Corp.  
Att:VP Real Estate Dept 824RE  
3333 Beverly Road  
Hoffman Estates, IL 60179  
USA

Please remit check payable to:

Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

Remove Coupon Above and Return with Your Payment

Tenant Name (DBA)	Unit ID	Store #	Property Name/Address
Kmart	100	STORE #3978	Braelinn Village

Service Description	Amount
Real Estate Tax Reconciliation 2017 Real Estate Tax Reconciliation	73,424.85

  

Invoice # G0524386	Date: JAN/30/2019	TERMS	Due upon receipt	Total Due:	\$ 73,424.85
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For questions on your invoice, please contact Daweet Dagnachew at 704-362-6155 or DDagnachew@kimcorealty.com. Please reference your Project ID and your Lease ID. Please fax all inquiries to 704-367-0629.

Please remit check payable to:  
Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

Recoverable Cost Computation Summary

RE:	Project:	SGAP1752/	Braeslinn Village	Date	1/30/2019		
	Tenant:	TSEARHOO	Sears Holding Corporation				
	Lease:	1KMAR/00	Kmart				
	Space:	001	Unit	100	Page:	1	
	Recovery Category:	T12	TAX Close Month - Dec	Recovery from	01/01/17	to	12/31/17
	Current Year Tax Assessment				294,418.16		
	Current Year Tax Rate				24.94%		
	Charge Commencement Date				1/1/2015		
	Total Number of Tenant Recovery Days				365		
	Total Number of Days Cost Incurred				365		
	Tenant Recovery Days as Fraction of Total Days (365/365)				1.000000		
	Total Chargeable to Tenant				73,424.85		
	Less Amount Previously Billed for Period				0.00		
	Additional Amount Due or (Credit)				73,424.85		

## 2017 Property Tax Statement

Kristie King,  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214

MAKE CHECK OR MONEY ORDER PAYABLE TO:  
Fayette County Tax Commissioner

1752  
BRAELINN VILLAGE 1752, LLC  
3333 NEW HYDE PARK RD  
SUITE 100  
NEW HYDE PARK, NY 11042

**RETURN THIS PORTION WITH PAYMENT**  
(Interest will be added per month if not paid by due date.)

Kristie King  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214



Phone: (770) 461-3652 Fax: (770) 461-8443

Building Value	Land Value	Fair Market Value	Due Date	Billing Date	Payment Due Date	Good Through	Exemptions
14,718,100	8,230,250	44,7900	22,948,350	01/15/2018		01/15/2018	
		ADJUSTED FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax Credit Net Tax
COUNTY M&O		22,948,350.00	9,179,340.00		9179340	6.4880	59,555.56
COUNTY SALES TAX CREDIT					9179340	-1.9790	-18,165.91
011-SERVICES		22,948,350.00	9,179,340.00		9179340	.2100	1,927.66
COUNTY SCHOOL M&O		22,948,350.00	9,179,340.00		9179340	19.5000	178,997.13
COUNTY SCHOOL BOND		22,948,350.00	9,179,340.00		9179340	1.3500	12,392.11
CITY - PEACH TREE CITY		22,948,350.00	9,179,340.00		9179340	9.3100	85,459.66
PEACH-TREE CITY SLS TX 2017					9179340	-3.0780	-28,254.01
PTC-BOND		22,948,350.00	9,179,340.00		9179340	.2730	2,505.96
<b>TOTAL TAXES</b>					9179340	340,839.06	167,103.02

**PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:**

INTEREST WILL ACCRUE EACH MONTH AT AN ANNUAL RATE EQUAL TO 3% PLUS THE FEDERAL PRIME RATE PUBLISHED AS OF JANUARY 1, EACH YEAR. A 6% PENALTY WILL BE ADDED 120 DAYS AFTER THE DUE DATE AND AT EACH 120 DAY MARK UNTIL A 20% CAP IS REACHED.

Bill No	Due Date	TOTAL DUE
2017-4259	01/15/2018	44,162.74

Map : 0611 009 Payment good through: 01/15/2018  
Last payment made on: 10/16/2017 Printed: 12/15/2017

Location: 564 CROSSTOWN

**ON-LINE PAYMENTS AT:**  
**WWW.FAYETTECOUNTYTAXCOMM.COM**  
**THERE WILL BE A FEE OF 2 1/2% IF PAID ONLINE.**  
**YOUR NET MILLAGE RATE IS EQUAL TO YOUR COUNTY SCHOOL OR CITY MILLAGE RATE LESS THE APPLICABLE SALES TAX CREDIT.**  
**REFER TO THE REVERSE SIDE OF YOUR TAX BILL FOR INFORMATION ABOUT STATE AND LOCAL EXEMPTIONS.**  
**IF THIS BILL IS MARKED "APPEAL" IT IS CALCULATED AT 95% VALUE. AN ADJUSTED BILL WILL BE ISSUED WHEN YOUR APPEAL IS FINALIZED.**

**APPEAL SETTLED**  
Notify your mortgage company if you have an escrow account

\*  
20174259\*

Current Due	294,418.16
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payments	250,255.42
Back taxes	0.00
<b>TOTAL DUE</b>	44,162.74

Printed: 12/15/2017

## 2017 Property Tax Statement

Kristie King  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214

MAKE CHECK OR MONEY ORDER PAYABLE TO:  
Fayette County Tax Commissioner



AUTO-MIXED AADC 373 123 131 29780 1 MB 0.423  
BRAELINN VILLAGE 1752, LLC  
3333 NEW HYDE PARK RD  
SUITE 100  
NEW HYDE PARK, NY 11042

1752

Bill No.	Due Date	TOTAL DUE
2017-4259	1/15/2017	250,255.42

Map: 0611 009  
Location: 564 CROSSTOWN  
Payment Good Through: 11/16/2017  
Printed: 09/07/2017

ON-LINE PAYMENTS AT:  
[WWW.FAYETTECOUNTYTAXCOMM.COM](http://WWW.FAYETTECOUNTYTAXCOMM.COM)

THERE WILL BE A FEE OF 2 1/2% IF PAID ONLINE.  
YOUR NET MILLAGE RATE IS EQUAL TO YOUR COUNTY  
SCHOOL OR CITY MILLAGE RATE LESS THE APPLICABLE  
SALES TAX CREDIT.

REFER TO THE REVERSE SIDE OF YOUR TAX BILL  
FOR INFORMATION ABOUT STATE AND LOCAL  
EXEMPTIONS.

IF THIS BILL IS MARKED "APPEAL" IT IS  
CALCULATED AT 85% VALUE. AN ADJUSTED BILL WILL BE  
ISSUED WHEN YOUR APPEAL IS FINALIZED.



RETURN THIS PORTION WITH PAYMENT

(Interest will be added monthly if not paid by due date)

Kristie King  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214

Phone: (770)461-3652 Fax: (770)461-8443



Tax Payer: BRAELINN VILLAGE 1752, LLC  
Map Code: 0611-009 REAL  
Description: CROSSTOWN RD  
Location: 564 CROSSTOWN  
Bill No: 2017-4259  
District: 05 PEACHTREE CITY

Building Value	Land Value	Annual Tax	Fair Market Value	Collected	Interest	Millage	Payments Good Through	Exemptions
14,718,100	8,230,250	44,7900	22,946,350	11/15/2017			11/15/2017	
COUNTY M&O	19,506,098.00	7,802,439.00	0.00	7,802,439.00	6.488	50,622.22	0.00	35,181.19
COUNTY SALES TAX CREDIT	19,506,098.00	7,802,439.00	0.00	7,802,439.00	-1.979	0.00	-15,441.03	0.00
911 SERVICES	19,506,098.00	7,802,439.00	0.00	7,802,439.00	.210	1,639.51	0.00	1,638.51
COUNTY SCHOOL M&O	19,506,098.00	7,802,439.00	0.00	7,802,439.00	19.500	152,147.56	0.00	152,147.56
COUNTY SCHOOL BOND	19,506,098.00	7,802,439.00	0.00	7,802,439.00	1.350	10,533.29	0.00	10,533.29
CITY -- PEACH TREE CITY	19,506,098.00	7,802,439.00	0.00	7,802,439.00	9.310	72,640.71	0.00	48,624.80
PEACH TREE CITY SLS TX 2017	19,506,098.00	7,802,439.00	0.00	7,802,439.00	-3.078	0.00	-24,015.91	0.00
PTC-BOND	19,506,098.00	7,802,439.00	0.00	7,802,439.00	.273	2,130.07	0.00	2,130.07

## APPEALED - TEMPORARY BILL

PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:

INTEREST WILL ACCRUE EACH MONTH AT AN ANNUAL RATE EQUAL TO 3% PLUS  
THE FEDERAL PRIME RATE PUBLISHED AS OF JANUARY 1, EACH YEAR.  
A 5% PENALTY WILL BE ADDED 120 DAYS AFTER THE DUE DATE AND AT EACH 120  
DAY MARK UNTIL A 20% CAP IS REACHED.

Current Due	250,255.42
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payment	0.00
Back Taxes	0.00
<b>TOTAL DUE</b>	<b>250,255.42</b>

Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

<b>Invoice #</b>	<b>Bill Date</b>
G0524387	JAN/30/2019
<b>Amount Due</b>	<b>Due Date</b>
72,324.73	Upon Receipt
<b>Property ID</b>	<b>Lease ID</b>
SGAP1752/	LKMAR//00
<b>Unit ID</b>	
100	

Sears Holdings Corp.  
Attn: VP Real Estate Dept 824RE  
3333 Beverly Road  
Hoffman Estates, IL 60179  
USA

Please remit check payable to:

Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

**Remove Coupon Above and Return with Your Payment**

Tenant Name (DBA)	Unit ID	Store #	Property Name/Address
Kmart	100	STORE #3978	Braelinn Village

Service Description	Amount
Real Estate Tax Reconciliation 2018 Real Estate Tax Reconciliation	72,324.73
<b>Invoice # G0524387    Date: JAN/30/2019    TERMS    Due upon receipt    Total Due:</b>	<b>\$ 72,324.73</b>

For questions on your invoice, please contact Daweet Dagnachew at 704-362-6155 or DDagnachew@kimcorealty.com. Please reference your Project ID and your Lease ID. Please fax all inquiries to 704-367-0629.

Please remit check payable to:  
Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

**Recoverable Cost Computation Summary**

RE: Project:	SGAP1752/	BraeLinn Village	Date	1/30/2019		
Tenant:	TSEARN00	Sears Holding Corporation				
Lease:	LMAR//00	Kmart				
Space:	001	Unit	100	Page:	1	
Recovery Category:	T12	TAX Close Month - Dec	Recovery from	01/01/18	to	12/31/18
Current Year Tax Assessment				290,006.93		
Current Year Tax Rate				24.94%		
Charge Commencement Date				1/1/2015		
Total Number of Tenant Recovery Days				365		
Total Number of Days Cost Incurred				365		
Tenant Recovery Days as Fraction of total Days (365/365)				1.000000		
Total Chargeable to Tenant				72,324.73		
Less Amount Previously Billed for Period				0.00		
Additional Amount Due or (Credit)				72,324.73		



Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

<b>Invoice #</b>	<b>Bill Date</b>
G0524384	JAN/30/2019
<b>Amount Due</b>	<b>Due Date</b>
66,450.52	Upon Receipt
<b>Property ID</b>	<b>Lease ID</b>
SGAP1752/	LKMAR//00
<b>Unit ID</b>	
100	

Sears Holdings Corp.  
Att:VP Real Estate Dept 824RE  
3333 Beverly Road  
Hoffman Estates, IL 60179  
USA

Please remit check payable to:

Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

**Remove Coupon Above and Return with Your Payment**

Tenant Name (DBA)	Unit ID	Store #	Property Name/Address
Kmart	100	STORE #3978	Braelinn Village
Service Description			Amount
Real Estate Tax Reconciliation 2015 Real Estate Tax Reconciliation			66,450.52

For questions on your invoice, please contact Daweet Dagnachew at 704-362-6155 or DDagnachew@kimcorealty.com. Please reference your Project ID and your Lease ID. Please fax all inquiries to 704-367-0629.

Please remit check payable to:  
Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

**Recoverable Cost Computation Summary**

RE: Project:	SCAP1752/	Braeslim Village	Date	1/30/2019
Tenant:	TSEARHOO	Sears Holding Corporation	Page:	1
Lease:	1KMAR/00	Kmart		
Space:	001	Unit	100	
Recovery Category:	T12	TAX Close Month - Dec	Recovery from	01/01/15
Current Year Tax Assessment			to	12/31/15
Current Year Tax Rate				266,452.59
Charge Commencement Date				24.94%
Total Number of Tenant Recovery Days				1/1/2015
Total Number of Days Cost Incurred				365
Tenant Recovery Days as Fraction of Total Days (365/365)				365
Total Chargeable to Tenant				1.000000
Less Amount Previously Billed for Period				66,450.52
Additional Amount Due or (Credit)				

## 2015 Property Tax Statement

George Wingo  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214

MAKE CHECK OR MONEY ORDER PAYABLE TO:  
Fayette County Tax Commissioner

BRAELINN VILLAGE 1752, LLC  
6060 PIEDMONT ROW DRIVE SOUTH  
SUITE 200  
CHARLOTTE, NC 28287

**RETURN THIS PORTION WITH PAYMENT**  
(1% Interest per month will be added if not paid by due date)

George Wingo  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214



Tax Payer: BRAELINN VILLAGE 1752, LLC  
Map Code: 0611 009  
Description: CROSSTOWN RD  
Location: 564 CROSSTOWN  
Bill No: 2015-4155  
District: 05 PEACHTREE CITY

Phone: (770) 461-3652 Fax: (770) 461-8443 *Where Quality Is A Lifestyle*

Building Value	Land Value	Assessed Value	Market Value	Due Date	Bill Number	Payment Due Date	Good Through	Exemptions
12,270,500	7,407,840	44,7900	19,678,340	11/16/2015			11/16/2015	
STATE TAX	19,678,340.00	7,871,336.00			7,871,336.00	.050	393.57	393.57
COUNTY M&O	19,678,340.00	7,871,336.00			7,871,336.00	.7316	57,578.82	40,702.68
COUNTY SALES TAX CREDIT					7,871,336.00	-2.144		-16,876.14
911 SERVICES	19,678,340.00	7,871,336.00			7,871,336.00	.210	1,652.08	1,652.08
COUNTY SCHOOL M&O	19,678,340.00	7,871,336.00			7,871,336.00	20.000	157,426.72	157,426.72
COUNTY SCHOOL BOND	19,678,340.00	7,871,336.00			7,871,336.00	1.360	10,626.30	10,626.30
CITY - PEACHTREE CITY	19,678,340.00	7,871,336.00			7,871,336.00	10.188	60,201.04	63,178.74
PEACHTREE CITY SALES TAX CREDIT					7,871,336.00	-3.433		-27,022.30
PTC-BOND	19,678,340.00	7,871,336.00			7,871,336.00	.314	2,471.60	2,471.60
<b>TOTALS</b>	<b>19,678,340.00</b>	<b>7,871,336.00</b>			<b>7,871,336.00</b>		<b>266,452.59</b>	

This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

**PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:**

1% INTEREST IS ADDED EVERY MONTH BEGINNING THE FIRST DAY AFTER THE DUE DATE.  
10% PENALTY IS ADDED 90 DAYS AFTER THE DUE DATE PLUS FIFTEEN ADDITIONAL CHARGES.

Current Due	266,452.59
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payments	0.00
Back taxes	0.00
<b>TOTAL DUE</b>	<b>266,452.59</b>

Printed: 10/02/2015

20154155\*

Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

<b>Invoice #</b>	<b>Bill Date</b>
G0524385	JAN/30/2019
<b>Amount Due</b>	<b>Due Date</b>
74,822.57	Upon Receipt
<b>Property ID</b>	<b>Lease ID</b>
SGAP1752/	LKMAR//00
<b>Unit ID</b>	
100	

Sears Holdings Corp.  
Att:VP Real Estate Dept 824RE  
3333 Beverly Road  
Hoffman Estates, IL 60179  
USA

Please remit check payable to:

Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

**Remove Coupon Above and Return with Your Payment**

Tenant Name (DBA)	Unit ID	Store #	Property Name/Address
Kmart	100	STORE #3978	Braelinn Village

Service Description	Amount
Real Estate Tax Reconciliation 2016 Real Estate Tax Reconciliation	74,822.57
Invoice # G0524385      Date: JAN/30/2019      TERMS      Due upon receipt      Total Due:	\$ 74,822.57

For questions on your invoice, please contact Daweet Dagnachew at 704-362-6155 or DDagnachew@kimcorealty.com.  
Please reference your Project ID and your Lease ID.  
Please fax all inquiries to 704-367-0629.

Please remit check payable to:  
Braelinn Village 1752, LLC  
P.O. Box 6203  
Hicksville, NY 11802-6203  
USA

**Recoverable Cost Computation Summary**

<b>RE:</b> Project:	SCAP1752/	Braelinn Village	Date:	1/30/2019
Tenant:	TSEARHOO	Sears Holding Corporation		
Lease:	LKMAR//00	Kmart		
Space:	001	Unit	Page:	1
Recovery Category:	T12	TAX Close Month - Dec	Recovery from	01/01/16 to 12/31/16
Current Year Tax Assessment				300,022.72
Current Year Tax Rate				24.94%
Charge Commencement Date				1/1/2015
Total Number of Tenant Recovery Days				365
Total Number of Days Cost Incurred				365
Tenant Recovery Days as Fraction of Total Days (365/365)				1.000000
Total Chargeable to Tenant				74,822.57
Less Amount Previously Billed for Period				0.00
Additional Amount Due or (Credit)				74,822.57

## 2016 Property Tax Statement

George Wingo  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214

MAKE CHECK OR MONEY ORDER PAYABLE TO:  
Fayette County Tax Commissioner



.....AUTO\*\*MIXED AADC 373 126 174 30005 1 MB 0 419  
BRAELINN VILLAGE 1752, LLC  
6060 PIEDMONT ROW DRIVE SOUTH  
SUITE 200  
CHARLOTTE, NC 28287

Bill No:	Due Date	TOTAL DUE
2016-4220	11/15/2016	300,022.72

Map: 0811 009  
Location: 564 CROSSTOWN  
Payment Good Through: 11/15/2016  
Printed: 09/07/2016

ON-LINE PAYMENTS AT:  
[WWW.FAYETTECOUNTYTAXCOMM.COM](http://WWW.FAYETTECOUNTYTAXCOMM.COM)

THERE WILL BE A FEE OF 2 1/2% IF PAID ONLINE.  
YOUR NET MILLAGE RATE IS EQUAL TO YOUR  
COUNTY SCHOOL OR CITY MILLAGE RATE LESS THE  
APPLICABLE SALES TAX CREDIT.

REFER TO THE REVERSE SIDE OF YOUR TAX  
BILL FOR INFORMATION ABOUT STATE AND LOCAL  
EXEMPTIONS.

IF THIS BILL IS MARKED "APPEAL" IT IS  
CALCULATED AT 85% VALUE. AN ADJUSTED BILL  
WILL BE ISSUED WHEN YOUR APPEAL IS FINALIZED.



RETURN THIS PORTION WITH PAYMENT  
(Interest will be added monthly if not paid by due date)

George Wingo  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214



Phone: (770)461-3652 Fax: (770)461-8443

Tax Payer: BRAELINN VILLAGE 1752, LLC  
Map Code: 0811 009 REAL  
Description: CROSSTOWN RD  
Location: 564 CROSSTOWN  
Bill No: 2016-4220  
District: 05 PEACHTREE CITY

Building Value	Land Value	Acres	Fair Market Value	Due Date				Payment Good Through	Exemptions
15,121,800	7,407,840	44.7900	22,629,640	11/15/2016				11/15/2016	
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax	
COUNTY M&O	22,529,640.00	9,011,856.00	0.00	9,011,856.00	.7020	63,263.23	0.00	44,311.30	
COUNTY SALES TAX CREDIT	22,529,640.00	9,011,856.00	0.00	9,011,856.00	-2.103	0.00	-18,951.83	0.00	
911 SERVICES	22,529,640.00	9,011,856.00	0.00	9,011,856.00	.210	1,892.49	0.00	1,892.49	
COUNTY SCHOOL M&O	22,529,640.00	9,011,856.00	0.00	9,011,856.00	.19750	177,984.16	0.00	177,984.16	
COUNTY SCHOOL BOND	22,529,640.00	9,011,856.00	0.00	9,011,856.00	1.350	12,166.01	0.00	12,166.01	
CITY - PEACHTREE CITY	22,529,640.00	9,011,856.00	0.00	9,011,856.00	10.107	91,082.83	0.00	80,884.10	
PEACHTREE CITY SALES TAX CRE	22,529,640.00	9,011,856.00	0.00	9,011,856.00	-3.351	0.00	-30,198.73	0.00	
PTC-BOND	22,529,640.00	9,011,856.00	0.00	9,011,856.00	.309	2,784.66	0.00	2,784.66	
TOTALS						33,292	340,173.38	-49,150.66	300,022.72

A gradual reduction and elimination of the state tax millage rate is the result of property tax relief passed by the Governor, the House of Representatives and the State Senate. Under the property tax relief legislation, the state tax millage rate will be reduced by .06 mill every year until completely eliminated in 2016.

PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:	Current Due	300,022.72
INTEREST WILL ACCRUE EACH MONTH AT AN ANNUAL RATE EQUAL TO 3% PLUS THE FEDERAL PRIME RATE PUBLISHED AS OF JANUARY 1, EACH YEAR.	Penalty	0.00
A 5% PENALTY WILL BE ADDED 120 DAYS AFTER THE DUE DATE AND AT EACH 120 DAY MARK UNTIL A 20% CAP IS REACHED.	Interest	0.00
	Other Fees	0.00
	Previous Payment	0.00
	Back Taxes	0.00
	<b>TOTAL DUE</b>	<b>300,022.72</b>